

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT S. KOSLOFF,

No. C 02-5931 JL

Plaintiff,

v.

**ORDER GRANTING
RECONSIDERATION OF APPLICATION
FOR ATTORNEY'S FEES**

CAFÉ VASILIKI, ET AL.,

Defendants.

INTRODUCTION

After this Court granted counsel for Plaintiff's Application for Attorney's Fees on February 15, 2006, counsel filed a Motion for Reconsideration on grounds that the Order did not cover fees incurred after the initial motion was filed. Counsel is correct. The Court's file did not contain billing records for the period June 21, 2005 through the date of the hearing on August 10, or records covering the post-hearing period. The Court has now had an opportunity to review those records and the portion of the file pertaining to the application for attorney's fees.

Plaintiff's counsel seeks an additional \$11,542.00 in attorneys' fees for the period June 21 - August 16, 2005. Counsel for Defendant opposes the application on grounds that it is inherently unreasonable.

DISCUSSION

Exclusive of communications with the court and counsel, miscellaneous administrative tasks, and preparation for and attendance at the August 10th hearing - - counsel has billed for nearly 30 hours in connection with the fee application. As noted previously, counsel is very experienced in these matters. The Court notes that the Defendant's opposition to the fee application and, in general, the protracted resolution of this case has caused Plaintiff's counsel to spend a great deal of time on this case.

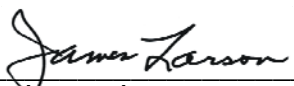
However, the Court finds that some of the time claimed is unreasonable. Accordingly, the Court deducts .7 hours for administrative tasks, such as filing and serving documents. In addition, the Court finds that time spent on preparing the reply to Defendant's opposition to the original application - - 11.85 hours - - is unreasonable, and deducts four hours from that sub-total. The reply memorandum consisted of seven pages, discussing three cases cited by defendant, plus a four-page declaration.

Finally, the Court finds that the 6.35 hours spent reviewing documents after the hearing on August 10th, in order to prepare a supplemental memorandum, which counsel requested, is also unreasonable, and the Court deducts three hours from that sub-total. The post-hearing declaration consisted of five pages with exhibits.

Accordingly, the Court deducts a total of 7.7 hours from the additional time claimed for the period June 21 through August 16, 2005. At the rate of \$420 an hour, Plaintiff's counsel is entitled to additional fees in the amount of \$8308.00 for a grand total of \$91,751.00 in attorney' fees, litigation expenses and costs

IT IS SO ORDERED.

DATED: May 26, 2006



James Larson
United States Magistrate Judge